

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

In re:	§	
	§	
VALLE, JOSEPH DELLA	§	Case No. 09-11470
VALLE, DAWN DELLA	§	
	§	
	§	
Debtor(s)	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 04/08/2009 . The undersigned trustee was appointed on 04/08/2009 .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 5,825.00

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	968.13
Bank service fees	15.00
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00

Leaving a balance on hand of<sup>1</sup> \$ 4,841.87

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 05/10/2010 and the deadline for filing governmental claims was 05/10/2010 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 1,332.50 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 1,332.50 , for a total compensation of \$ 1,332.50 <sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 0.00 , for total expenses of \$ 0.00 <sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 05/01/2013 By: /s/DANIEL E. BRICK, TRUSTEE  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES

Page: 1  
Exhibit A

Case No: 09-11470 MJK Judge: MICHAEL J. KAPLAN  
Case Name: VALLE, JOSEPH DELLA  
VALLE, DAWN DELLA  
For Period Ending: 05/01/13

Trustee Name: DANIEL E. BRICK, TRUSTEE  
Date Filed (f) or Converted (c): 04/08/09 (f)  
341(a) Meeting Date: 05/14/09  
Claims Bar Date: 05/10/10

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 48 Jesella Dr., North Tonawanda, NY 14120	74,000.00	0.00		0.00	FA
2. Cornerstone Community FCU	10.00	0.00		0.00	FA
3. M&T	20.00	0.00		0.00	FA
4. M&T Savings	1,287.03	0.00		0.00	FA
5. TV, Table, Chairs, Bedroom set	1,500.00	0.00		0.00	FA
6. Pants, Shirts, Shoes, Coats	250.00	0.00		0.00	FA
7. Confer Plastics Inc. 401K	16,802.62	0.00		0.00	FA
8. Pension	1,317.25	0.00		0.00	FA
9. 1995 Chevy Silverado	800.00	0.00		0.00	FA
10. 2005 Dodge Grand	9,750.00	0.00		0.00	FA
11. Personal Injury Action Wife (u)	Unknown	0.00		0.00	FA
12. Personal Injury Action Loss of Consortium Husband (u)	Unknown	0.00		0.00	FA
13. J.D.'s Laser Designs, Inc. 18X24 Laser Table (u)	Unknown	3,500.00		5,825.00	FA

TOTALS (Excluding Unknown Values)	\$105,736.90	\$3,500.00		\$5,825.00	Gross Value of Remaining Assets
					\$0.00
					(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

- 6/3/09 Letter to R. Wiesbeck, Esq. re: status of litigation.  
7/9/09 Fax from T. Bailey re: appointment of Special Counsel.  
7/136/09 Letter to T Bailey re: Appointment of Special Counsel.  
07/23/09 Need proof of settlement.  
7/29/09 Letter from T Bailey enclosing SC paperwork.

FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES

Trustee Name: DANIEL E. BRICK, TRUSTEE  
Date Filed (f) or Converted (c): 04/08/09 (f)  
341(a) Meeting Date: 05/14/09  
Claims Bar Date: 05/10/10

Case No: 09-11470 MJK Judge: MICHAEL J. KAPLAN  
Case Name: VALLE, JOSEPH DELLA  
VALLE, DAWN DELLA

7/30/09 Letter to T. Bailey, Esq. re: Settlement.  
7/30/09 Letter to Della Valle re: status of case.  
07/30/09 RESPONSE FROM DEBTOR RE LASER WOODCUTTER.  
08/24/09 Response from Debtors re Laser Woodcutter.  
10/2/09 Letter to R. Gugino, Esq. re: turnover of laser engraver.  
10/05/09 Letter sent to Debtor's regarding pick up of machine.

12/17/09 Letter to Debtor re: laser engraver.  
6/14/10 Memo to A. Balling re: laser engraver.  
06/15/10 Letter sent re: wood cutter need answer.  
7/13/10 Memo to A. Balling re: offer on woodcutter.  
10/7/10 Email re: engraver.  
10/8/10 Email re: engraver.  
10/12/10 Email re: engraver.  
10/26/10 listing laser engraver for sale.  
11/9/10 Email re: engraver.  
12/8/10 Email re: engreaver.  
12/14/10 Email re: engraver.  
12/16/10 Email re: engraver.  
5/4/11 Email re: engraver  
5/9/11 Email re: engraver.  
5/11/11 Email re: engraver.

10/21/11 Attempting to sell laser engraver.  
01/06/12 Possible bidder looking into buying unit.  
9/25/12 Relisting with auctioneer, waiting for appointment  
10/19/12 Auctioneer appointed auction to be set up.  
11/14/12 Waiting to hear from Bk Assets re: sale

Initial Projected Date of Final Report (TFR): 12/31/10 Current Projected Date of Final Report (TFR): 12/31/13

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No:	09-11470 -MJK	Trustee Name:	DANIEL E. BRICK, TRUSTEE
Case Name:	VALLE, JOSEPH DELLA	Bank Name:	UNION BANK
	VALLE, DAWN DELLA	Account Number / CD #:	*****4847 Checking Account

Taxpayer ID No: \*\*\*\*\*5346  
 For Period Ending: 05/01/13  
 Blanket Bond (per case limit): \$ 32,892,691.00  
 Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
01/14/13		Trsf In From Capital One	BALANCE FORWARD	9999-000	4,856.87		0.00
02/25/13		UNION BANK	INITIAL WIRE TRANSFER IN	2600-000		15.00	4,856.87
			BANK SERVICE FEE				4,841.87

<b>COLUMN TOTALS</b>	4,856.87	15.00	4,841.87
Less: Bank Transfers/CD's	4,856.87	0.00	
<b>Subtotal</b>	0.00	15.00	
Less: Payments to Debtors		0.00	
<b>Net</b>	0.00	15.00	

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 09-11470 -MJK  
 Case Name: VALLE, JOSEPH DELLA  
 VALLE, DAWN DELLA  
 \*\*\*\*\*5346  
 Taxpayer ID No:  
 For Period Ending: 05/01/13

Trustee Name: DANIEL E. BRICK, TRUSTEE  
 Bank Name: Capital One  
 Account Number / CD #: \*\*\*\*\*7902 Checking Account

Blanket Bond (per case limit): \$ 32,892,691.00  
 Separate Bond (if applicable):

1 Transaction Date	2 Check or Reference	3 Paid To / Received From	4 Description Of Transaction	Uniform Tran. Code	5 Deposits (\$)	6 Disbursements (\$)	7 Account / CD Balance (\$)
12/26/12	13	BKASSETS.COM, LLC 216 N. Center Mesa, AZ 85201-6629	BALANCE FORWARD Non-exempt interest in equipment	1229-000	5,825.00		0.00 5,825.00
01/04/13	001001	BKAssets.com 216 N. Center Mesa, AZ 85201	Auctioneer Fees	3610-000		560.00	5,265.00
01/04/13	001002	BkAssets.com 216 N. Center Mesa, AZ 85201	Expenses re sale of engraver	3620-000		408.13	4,856.87
01/14/13		Trsf To UNION BANK	FINAL TRANSFER	9999-000		4,856.87	0.00

COLUMN TOTALS 5,825.00 5,825.00 0.00 0.00  
 Less: Bank Transfers/CD's 0.00 4,856.87  
 Subtotal 5,825.00 968.13  
 Less: Payments to Debtors 0.00  
 Net 5,825.00 968.13

TOTAL - ALL ACCOUNTS  
 Checking Account - \*\*\*\*\*4847 0.00 15.00  
 Checking Account - \*\*\*\*\*7902 5,825.00 968.13  
 -----  
 5,825.00 983.13  
 -----  
 (Excludes Account Transfers) (Excludes Payments To Debtors)  
 -----  
 Total Funds On Hand  
 4,841.87  
 -----  
 0.00

Page Subtotals 5,825.00 5,825.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: May 01, 2013

Case Number: 09-11470 Claim Class Sequence  
Debtor Name: VALLE, JOSEPH DELLA

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
001 3110-00	BRICK, BRICK & ELMER PO BOX 604 NORTH TONAWANDA, NY 14120	Administrative		\$846.00	\$0.00	\$846.00
000002 070 7100-00	Cornerstone Community Federal Credit Union 6485 S Transit Rd Lockport, NY 14094	Unsecured		\$480.89	\$0.00	\$480.89
000003 070 7100-00	Cornerstone Community Federal Credit Union 6485 S Transit Rd Lockport, NY 14094	Unsecured		\$1,258.03	\$0.00	\$1,258.03
000004 070 7100-00	DISCOVER BANK DFS Services LLC PO Box 3025 New Albany, Ohio 43054-3025	Unsecured		\$4,021.16	\$0.00	\$4,021.16
000005 070 7100-00	American Infosource Lp As Agent for Target PO Box 248866 Oklahoma City, OK 73124-8866	Unsecured		\$4,831.81	\$0.00	\$4,831.81
000006 070 7100-00	Deltex Electric Inc. 220 Elk Street Buffalo, NY 14210	Unsecured		\$3,093.75	\$0.00	\$3,093.75
000007 070 7100-00	Chase Bank USA, N.A. PO Box 15145 Wilmington, DE 19850-5145	Unsecured		\$3,915.65	\$0.00	\$3,915.65
000008 070 7100-00	Chase Bank USA, N.A. PO Box 15145 Wilmington, DE 19850-5145	Unsecured		\$17,543.42	\$0.00	\$17,543.42
000009 070 7100-00	Chase Bank USA, N.A. PO Box 15145 Wilmington, DE 19850-5145	Unsecured		\$14,237.54	\$0.00	\$14,237.54
000010 070 7100-00	Viewtech Financial Services, Inc. 4761 E. Hunter Ave. Anaheim, CA 92807-1940	Unsecured		\$2,223.52	\$0.00	\$2,223.52
000011 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$2,141.06	\$0.00	\$2,141.06
000012 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services	Unsecured		\$1,996.02	\$0.00	\$1,996.02

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: May 01, 2013

Case Number: 09-11470 Claim Class Sequence  
Debtor Name: VALLE, JOSEPH DELLA

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
	PO Box 19008 Greenville, SC 29602-					
000013 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank c/o Resurgent Capital Services PO Box 19008 Greenville, SC 29602-	Unsecured		\$1,124.11	\$0.00	\$1,124.11
000014 070 7100-00	American Express Centurion Bank c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	Unsecured		\$2,723.98	\$0.00	\$2,723.98
000015 070 7100-00	Chase Bank USA, N.A. c/o Creditors Bankruptcy Service P.O.Box 740933 Dallas, TX 75374	Unsecured		\$543.36	\$0.00	\$543.36
000016 070 7100-00	Midland Funding LLC By its authorized agent Recoser, LLC 25 SE 2nd Ave, Suite 1120 Miami, FL 33131-1605	Unsecured		\$201.67	\$0.00	\$201.67
000017 070 7100-00	Midland Funding LLC By its authorized agent Recoser, LLC 25 SE 2nd Ave, Suite 1120 Miami, FL 33131-1605	Unsecured		\$1,510.24	\$0.00	\$1,510.24
000018 070 7100-00	Midland Funding LLC By its authorized agent Recoser, LLC 25 SE 2nd Ave, Suite 1120 Miami, FL 33131-1605	Unsecured		\$1,924.31	\$0.00	\$1,924.31
000019 080 7200-00	eCAST Settlement Corp Assignee of HSBC Bank Nevada Bass & Associates, P.C. 3936 E. Ft. Lowell Rd., Suite 200 Tucson, AZ 85712	Unsecured		\$978.98	\$0.00	\$978.98
000001 050 4210-00	Cornerstone Community Federal Credit Union 6485 S Transit Rd Lockport, NY 14094	Secured		\$9,169.48	\$0.00	\$9,169.48
Case Totals:				\$74,764.98	\$0.00	\$74,764.98

Code #: Trustee's Claim Number, Priority Code, Claim Type



## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 09-11470

Case Name: VALLE, JOSEPH DELLA

VALLE, DAWN DELLA

Trustee Name: DANIEL E. BRICK, TRUSTEE

Balance on hand \$ 4,841.87

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payment to Date	Proposed Payment
000001	Cornerstone Community Federal Credit Union	\$ 9,169.48	\$ 9,169.48	\$ 0.00	\$ 0.00

Total to be paid to secured creditors \$ 0.00

Remaining Balance \$ 4,841.87

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: DANIEL E. BRICK, TRUSTEE	\$ 1,332.50	\$ 0.00	\$ 1,332.50
Attorney for Trustee Fees: BRICK, BRICK & ELMER	\$ 846.00	\$ 0.00	\$ 846.00

Total to be paid for chapter 7 administrative expenses \$ 2,178.50

Remaining Balance \$ 2,663.37

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 63,770.52 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 4.2 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000002	Cornerstone Community Federal Credit Union	\$ 480.89	\$ 0.00	\$ 20.08
000003	Cornerstone Community Federal Credit Union	\$ 1,258.03	\$ 0.00	\$ 52.54
000004	DISCOVER BANK	\$ 4,021.16	\$ 0.00	\$ 167.94
000005	American Infosource Lp As Agent for	\$ 4,831.81	\$ 0.00	\$ 201.80
000006	Deltex Electric Inc.	\$ 3,093.75	\$ 0.00	\$ 129.21
000007	Chase Bank USA, N.A.	\$ 3,915.65	\$ 0.00	\$ 163.54
000008	Chase Bank USA, N.A.	\$ 17,543.42	\$ 0.00	\$ 732.70
000009	Chase Bank USA, N.A.	\$ 14,237.54	\$ 0.00	\$ 594.63
000010	Viewtech Financial Services, Inc.	\$ 2,223.52	\$ 0.00	\$ 92.87

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000011	PYOD LLC its successors and assigns as assignee of	\$ 2,141.06	\$ 0.00	\$ 89.42
000012	PYOD LLC its successors and assigns as assignee of	\$ 1,996.02	\$ 0.00	\$ 83.36
000013	PYOD LLC its successors and assigns as assignee of	\$ 1,124.11	\$ 0.00	\$ 46.95
000014	American Express Centurion Bank	\$ 2,723.98	\$ 0.00	\$ 113.77
000015	Chase Bank USA,N.A.	\$ 543.36	\$ 0.00	\$ 22.69
000016	Midland Funding LLC	\$ 201.67	\$ 0.00	\$ 8.42
000017	Midland Funding LLC	\$ 1,510.24	\$ 0.00	\$ 63.08
000018	Midland Funding LLC	\$ 1,924.31	\$ 0.00	\$ 80.37

Total to be paid to timely general unsecured creditors \$ 2,663.37

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 978.98 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000019	eCAST Settlement Corp	\$ 978.98	\$ 0.00	\$ 0.00

Total to be paid to tardy general unsecured creditors \$ 0.00

Remaining Balance \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE